

ORIGINAL

Decision No. 40406

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of STOCKTON CITY LINES, INC. for authority to extend its Routes Nos. 5, 4, and 1.)	Application No. 27816
In the Matter of the Application of NEWTON PASSENGER TRANSPORTATION COMPANY for authority to establish a route to Morrison Garden Farm's tract.)	Application No. 27742
In the Matter of the Application of NEWTON PASSENGER TRANSPORTATION COMPANY to extend the operation of its Waterloo Road route along Cherokee Lane.)	Application No. 27775
In the Matter of the Application of NEWTON PASSENGER TRANSPORTATION COMPANY to establish a route between Stockton and Lathrop.)	Application No. 28354

FRED M. BOLLINGER and R. A. LUBICE, representing Newton Passenger Transportation Company; JONES & QUINN, by THOMAS B. QUINN, representing Stockton City Lines, Inc.; BILL L. DOZIER, City Attorney, representing the City of Stockton.

O P I N I O N

The Stockton City Lines, Inc. conducts a coordinated city wide local transportation in Stockton and the immediate surrounding territory by motor coach. (1)
For the year 1946 there were operated 1,601,120 bus miles of service.

Newton Passenger Transportation Company operates two routes out of the city of Stockton along Waterloo Road and Fremont Street adjacent to and east of the city limits. No local service is performed west of Wilson Way. For the year 1946 there were operated 295,850 bus miles of service. (2)

In its application Stockton City Lines, Inc., hereinafter sometimes referred to as City Lines, requests authority to make four relatively short extensions to its existing service routes. Newton Passenger Transportation Company, hereinafter sometimes referred to as Newton, proposes in his applications to establish two new routes and to extend his Waterloo Road route.

(1) Figures taken from the 1946 annual report of City Lines.
(2) Figures taken from the 1946 annual report of Newton.

A public hearing was held in these matters in Stockton on April 30, 1947 at which time each was submitted for decision.

Two of the extensions proposed by City Lines are non-controversial and will therefore be disposed of before considering those proposals of each applicant which were protested by the other.

I. EXTENSION BY CITY LINES OF THE WESTERN LOOP OF ITS COUNTRY CLUB-NORTH OPHIR ROUTE NO. 4.

In reaching its westerly terminus at the intersection of Grange Avenue and Euclid Avenue, Route No. 4 of City Lines runs westerly along Country Club Boulevard to Grange Avenue and northerly along Grange Avenue to Euclid Avenue, a distance of about nine blocks. Grange Avenue is one long block west of the west city limits of Stockton.

City Lines' proposal provides for the formation of a terminal loop by extending the route westerly along Country Club Boulevard for three long blocks to Marine Avenue, thence northerly and easterly to a connection with the present terminus at Euclid Avenue and Grange Avenue.

The area involved west of the city limits and between the Calaveras River and Smith Canal is newly developed and rapidly growing residentially, and the extended service proposed is required to meet its transportation needs. The extension will add 1.2 miles to the route miles of Route No. 4 and requires no additional equipment. This extension will be authorized.

II. EASTERLY EXTENSION BY CITY LINES OF ITS CALIFORNIA-SAN JOAQUIN ROUTE NO. 1.

Route No. 1 now has its easterly terminus at the intersection of Sutter Street and Alpine Avenue in the vicinity of Oak Park (a city park in the northeast section of the city), and it is proposed to extend the line easterly from its present terminus along Alpine Avenue for a distance of about 0.8 miles into a newly developed residential area outside the city. The record indicates that this extension will not require any additional equipment on the route and that the added service will be in the public interest. This extension will be authorized.

III. SERVICE TO MORRISON GARDEN FARM'S TRACT PROPOSED BY BOTH APPLICANTS.

Morrison Garden Farm's tract is a subdivision southeast of the city limits of Stockton and consists of about nine blocks fairly densely populated. Between the tract and Sharps Lane and south of the Fairgrounds and Municipal Golf Links, a

large housing area is being developed. This housing area will be bisected by 8th Street which is being extended easterly from Sharps Lane. This street will soon be completed.

City Lines' Route No. 5 now terminates at the intersection of Sharps Lane and 8th Street. It is City Lines' proposal to extend this route easterly along 8th Street into the Morrison tract, a distance of approximately 0.6 miles. It will perform service throughout the operating day, and apply its basic city fares.

Newton proposes to serve the Morrison tract by establishing a new line from the downtown area of Stockton via Harding Way and Charter Way, entering the tract in a southerly direction along "B" Street north of the Fairgrounds, but would not carry local passengers within the city of Stockton. The one-way length of this new route would be about $3\frac{1}{2}$ miles.

As practically no revenue would be derived except from traffic developed in the Morrison tract itself, it is evident that applicant's revenue per bus mile would be relatively low.

The requested extension by City Lines, however, will serve not only the Morrison tract but also a new housing development to the west thereof. Patrons would be afforded city-wide service through transfer privileges, and the additional cost to this applicant in the operation of this extension would not be material.

The record is convincing that the extension of service afforded by City Lines will adequately meet the transportation needs of residents in this area, and that two competing services would not be justified. City Lines' application will be granted and that of Newton denied.

IV. EXTENSION OF SOUTHERLY TERMINUS OF CITY LINES'
CALIFORNIA-SAN JOAQUIN ROUTE NO. 1.

The southerly end of Route No. 1 runs from the center of Stockton to the intersection of 8th Street and McKinley Avenue. It is proposed to extend the route about three-fourths of a mile along McKinley Avenue (U.S. 50) to Ivy Avenue in order to serve a residential area west of McKinley Avenue and industries east thereof. City Lines proposes to start the service with three round trips in both the morning and afternoon, so arranged as to handle the needs of the workers living in the area or those employed in the industries adjacent to McKinley Avenue.

This extension would give the residents of this territory the advantages of city-wide service through transfer privileges.

The establishment of this extension was protested by Newton as it parallels a portion of his proposed route to Lathrop, which is discussed in Item V following.

V. NEW ROUTE PROPOSED BY NEWTON TO LATHROP AND INTERMEDIATE POINTS.

Newton proposes a service from Hunter Square (Hunter and Main Streets) southerly along various streets to French Camp, San Joaquin General Hospital, Lathrop and Lathrop Army General Depot, without any restrictions.

The route from its initial point to 8th Street would be parallel to the existing city wide service of City Lines. From 8th Street to Ivy Avenue (a distance of about 3/4 of a mile) the proposed service of both applicants would traverse McKinley Avenue.

Lathrop and French Camp are served by Pacific Greyhound Lines by their through operations between Stockton, Tracy, and Oakland. The record indicates that this service is of little use to French Camp or Lathrop as the schedules do not meet their needs and further, the buses are usually loaded to capacity with through passengers.

We conclude from the record that the area covered by City Lines in Item IV above would afford city wide service to this area, whereas the Newton proposal would supply only a service connecting with his two lines. City Lines' application will be granted.

The service of Newton to Lathrop would be a convenience to the people of that area but from the evidence it is problematical if the revenues derived would sustain it even if no restrictions were imposed. We will, however, grant the right for this operation with the restriction that no local passengers will be transported between Duck Creek (about 1/4 mile south of Ivy Avenue) and Hunter Square.

VI. EXTENSION BY NEWTON OF HIS WATERLOO ROAD LINE.

At present this line terminates on Waterloo Road at the Diverting Canal east of Stockton. A triangular loop extension is proposed by routing along Cherokee Lane in one direction. At the Diverting Canal Cherokee Lane is over one fourth of a mile north of Waterloo Road. Applicant now turns his buses in Waterloo Road at

the canal. He alleged that the California Highway Patrol has given him notice that this practice should be discontinued as it is a potential hazard to on-coming vehicles. No record of any accidents was presented.

It will be noted that the proposed extension is not simply turning around a block but in reality covers additional territory north of Waterloo Road.

City Lines objected to the extension on the ground that the proposal would come in close proximity with its Ophir Street line in the vicinity of Robin-dale Avenue and Belle Avenue.

The portion of the route on outer Cherokee Lane is about midway between the existing services of the two companies and public convenience and necessity do not require service on Cherokee Lane. Although Newton testified that he could not turn his buses around a block at the terminus, we believe an effort should be made to arrange to do this instead of making the proposed extension. This extension, therefore, will be denied.

The following order will dispose of the matters as heretofore outlined.

O R D E R

A public hearing having been held and the matters being under submission,

IT IS HEREBY ORDERED:

I. That a certificate of public convenience and necessity be and it is hereby granted to Stockton City Lines, Inc., a corporation, in Application No. 27816, authorizing the establishment and operation of a service as a passenger stage corporation, as defined in Section 2 $\frac{1}{2}$ of the Public Utilities Act, as an extension of and to be consolidated with its present operations, for the transportation of passengers between the points and over the routes described as follows:

- a. Commencing at the intersection of Country Club Boulevard and Grange Avenue, thence along Country Club Boulevard to Marine Avenue, along Marine Avenue to Michigan Avenue, along Michigan Avenue to Mission Road, along Mission Road to Euclid Avenue, and along Euclid Avenue to Grange Avenue, in the County of San Joaquin.

- b. Commencing at the intersection of Sutter Street and Alpine Avenue in the city of Stockton, thence along Alpine Avenue to the easterly city limits of Stockton, thence continuing along Alpine Avenue in San Joaquin County to San Mateo Avenue, along San Mateo Avenue to Stadium Drive, along Stadium Drive to West Lane, along West Lane to Alpine Avenue, and along Alpine Avenue to San Mateo Avenue.
- c. Commencing at the intersection of Sharps Lane and Eighth Street in the city of Stockton, thence easterly along Eighth Street to the city limits of Stockton, and thence continuing along Eighth Street in San Joaquin County to the intersection of "B" Street.
- d. Commencing at the intersection of Eighth Street and McKinley Avenue in the County of San Joaquin, thence along McKinley Avenue to Ivy Avenue, along Ivy Avenue to Fairmont Avenue, along Fairmont Avenue to Lowell Avenue, and along Lowell Avenue to McKinley Avenue.

II. That in providing service pursuant to the certificate herein granted, Stockton City Lines, Inc. shall comply with and observe the following service regulations:

- (1) Applicant shall file a written acceptance of the certificate herein granted within thirty (30) days from the effective date hereof.
- (2) Applicant shall comply with the provisions of General Order No. 79 and Part IV of General Order No. 93-A, by filing in triplicate and concurrently making effective appropriate tariffs and time schedules within sixty (60) days from the effective date hereof, on not less than one day's notice to the Commission and the public.
- (3) Applicant shall turn its motor vehicles at termini or intermediate points either in the intersection of the streets or by operating in either direction around two blocks contiguous to such intersection.

III. That a certificate of public convenience and necessity be and it is hereby granted to Eskdale Newton, d.b.a. Newton Passenger Transportation Company, in application No. 28354, authorizing the establishment and operation of a service as a passenger stage corporation, as defined by Section 2 $\frac{1}{2}$ of the Public Utilities Act, as an extension of and to be consolidated with his present operations, for the transportation of passengers between the points and over the route described as follows:

Commencing at the intersection of Main Street and Hunter Street in the city of Stockton, thence along Main Street to El Dorado Street, along El Dorado Street to McKinley Avenue, along McKinley Avenue in the County of San Joaquin to Redwood Avenue in French Camp, along Redwood Avenue to French Camp Road, along French Camp Road to Ash Street, along Ash Street to Mossdale Avenue, along Mossdale Avenue to San Joaquin County Hospital Road, along San Joaquin County Hospital Road to San Joaquin County General Hospital, turn around hospital grounds and return over the same route to McKinley Avenue and Ash Street, thence along McKinley Avenue to Lathrop Road, along Lathrop Road to Lathrop Army General Depot.

Subject to the condition that:

Passengers having their point of origin or destination within the area bounded by Hunter Square (intersection of Main Street and Hunter Street) in the city of Stockton and the crossing of Duck Creek under McKinley Avenue, County of San Joaquin, on either incoming or outgoing travel, shall not be transported.

IV. That in providing service pursuant to the certificate herein granted, Eskdale Newton shall comply with and observe the following service regulations:

- (1) Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the effective date hereof.
- (2) Applicant shall comply with the provisions of General Order No. 79 and Part IV of General Order No. 93-A by filing in triplicate and concurrently making effective appropriate tariffs and time schedules within sixty (60) days from the effective date hereof, on not less than one day's notice to the Commission and the public.
- (3) Applicant may turn its motor vehicles at termini or intermediate points either in the intersection of the street or by operating in either direction around a block contiguous to such intersection.

V. That Applications Nos. 27742 and 27775 be and they are hereby denied.

The effective date of this Order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 17th day of June, 1947.

Harold Kula
Justin J. Quinn
David Russell
C. J. ...
Samuel ...
 Commissioners